

REMARKS

Applicant thanks the Examiner for the remarks and analysis continued in the most recent Office Action. New claims 28-36 are presented above. Claims 1-9, 14-24 and 26-36 are currently pending. Applicant respectfully requests reconsideration of this application.

Applicant submits a replacement sheet of drawings including an amended Figure 5 that includes a legend on the item labeled 86. The added legend is consistent with paragraph 54 on page 13 of the specification. Applicant believes that the figure is appropriately identified in the specification.

Applicant respectfully traverses the rejection under 35 U.S.C. §103 of claims 1-4, 9, 15-16 and 20 based upon the combination of WO 01-14630 in view of *Kilborn, et al.* There is no *prima facie* case of obviousness. Even if the proposed combination can be made, the result is not the same as the claimed invention.

Kilborn, et al. teaches an arrangement where individual weights 18 are suspended from clamping members 19 attached to cables. (Column 3, lines 48-50) Then, jaws of a clamping mechanism 11 clamp a group of cables so that the cables are clamped between the clamping mechanism 11 and the clamping mechanism 13. (Column 3, lines 27-31 and column 4, lines 2-4) Once a group of cables are clamped in two places, the individual weights 18 are removed from the cables. (Column 4, lines 5-6) The clamped portions are not tensioned in a controlled manner once the weights are removed. The clamped portions are not “individually” tensioned.

Only after the weights are removed and the cables are no longer individually tensioned, are the cables in *Kilborn, et al.* “ready for the next operation, which is the application of the material which bonds the clamped sections of the stationary cables and cords together and provides a suitable body to which the fabric layers can be applied to form the completed tension section of the belt or at least enough of the tension section so that it can be wound upon a drum and then transferred to a position where the additional layers of fabric can be applied.” (Column 5, lines 51-58)

Accordingly, *Kilborn, et al.* does not teach a technique for realizing at least two aspects of Applicant’s claimed invention. One is that *Kilborn, et al.* can only apply a jacket to a limited section at a time and therefore introduces seams or interruptions in the applied material layer. That is not the same as Applicant’s claimed technique that includes a generally smooth, uninterrupted surface on an exterior of the jacket.

Kilborn, et al. also fail to teach maintaining tension on individual cords on an individual basis while applying a jacket material. Instead, *Kilborn, et al.* specifically teaches removing the weights that provided individual tensions and using clamping mechanisms that do not differentiate between the cords such that no individual tension on the cords is maintained any longer. This occurs before applying any material to the cords in *Kilborn, et al.* Accordingly, even if one made the combination proposed by the Examiner, the result would not be the same. There is no application of a jacket material while maintaining tensions on the cords on an individual cord basis. Therefore, the proposed combination does not result in the claimed invention and there is no *prima facie* case of obviousness against any of Applicant’s claims.

Additionally, the combination of WO 01-14630 and *Kilborn, et al.* cannot be made. If one were to apply the techniques of *Kilborn, et al.* to a process for making a load bearing member for an elevator system, the resulting jacket would not be workable within an elevator system. *Kilborn, et al.* teaches successively forming sections of a fabric layer over the cords used for the belt of that reference. If one took such a successive approach where different sections of a jacket are formed in a non-continuous manner, the resulting jacket would not satisfy the requirements of elevator system operation. For example, Applicant's invention eliminates grooves associated with other elevator belt manufacturing techniques. Such grooves introduce noise and vibration in elevator systems. Applicant's invention eliminates those grooves and, therefore, eliminates that source of noise and vibration. If one were to substitute in the technique of *Kilborn, et al.* into an elevator belt manufacturing process, each successive section of jacket material applied using *Kilborn, et al.*'s technique would result in an interruption in the surface of the jacket where adjacent sections meet. Such interruptions would introduce noise and vibration, which is undesirable. Therefore, the combination does not provide a workable result and there is no *prima facie* case of obviousness.

Even if one could take additional steps to somehow make the *Kilborn, et al.* technique useful for making an elevator belt, that is beyond the scope of the references and finds no suggestion within the art. Applicant's invention cannot be used for hindsight reconstruction of selected portions of the art in an attempt to establish a *prima facie* case of obviousness.

Applicant appreciates the indication of allowed and allowable subject matter. As noted above, there is no *prima facie* case of obviousness against any of Applicant's claims. Therefore, this case is in condition for allowance.

Applicant believes that additional fees in the amount of \$600.00 are required for twelve additional claims. A Credit Card Payment Form in the amount of \$600.00 is enclosed. The Commissioner is authorized to charge Deposit Account No. 50-1482 in the name of Carlson, Gaskey & Olds for any additional fees or credit the account for any overpayment.

Respectfully submitted,

CARLSON, GASKEY & OLDS



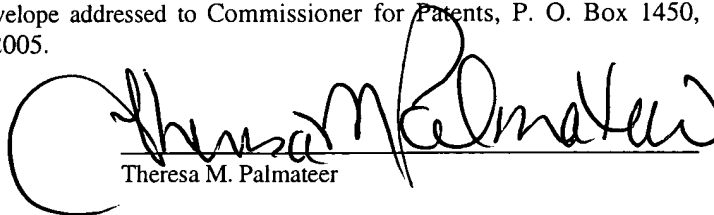
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CERTIFICATE OF MAILING

I hereby certify that the enclosed Response is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on July 19, 2005.



Theresa M. Palmateer